



DoD South East Regional Council Training Event

April 3, 2017
Afternoon Session



Presenters

Janice Buffler

Associate Director

Subcontracting Policy and Regional Councils

DoD Office of Small Business Programs

Janice.I.buffler.civ@mail.mil

Dr. Jeanette Robinson

Professor of Small Business

Defense Acquisition University Midwest Region

jeanette.robinson@dau.mil

Subcontracting Compliance – Post-Award Functions



- Introductions
- Subcontracting Plans and Related Reports (handout)
- Preparing and Reviewing ISRs (handout and exercise)
- Preparing and Reviewing SSRs under Individual Plan (handout and exercise)
- Preparing and Reviewing SSRs under Commercial Plan (handout and exercise)
- Assessing Contractor's Subcontracting Performance (CPARS) (exercise)

Subcontracting Compliance – Post-Award Functions



Subcontracting Plans and Related Reports

- Review Handout

Subcontracting Compliance – Post-Award Functions



Preparing and Reviewing ISRs under Individual Subcontracting Plan

- Review Handout
- Exercise



List of Contracts for ISR and CPARS Exercises

1. Contract #: (complete ISR)
2. Contract #: DAAA0902D0007
Contract #: DAAA0902G0016
3. Contract #: DAAD1300C0021
Contract #: FA460014D0004
4. Contract #: W911NF15C0210
Contract #: N6247013D6022

Subcontracting Compliance – Post-Award Functions



Preparing and Reviewing SSRs under Individual Subcontracting Plan

- Review Handout
- Exercise

Subcontracting Compliance – Post-Award Functions



Preparing and Reviewing SSRs under Commercial Subcontracting Plan Plan

- Review Handout
- Exercise

Preparing and Reviewing SSR under Commercial Subcontracting Plan



- Commercial Subcontracting Plan Goals (% and \$) are based on **ALL**
 - Subcontracting under Government contracts
- AND**
- Subcontracting under Non-government contracts

Preparing and Reviewing SSR under Commercial Subcontracting Plan



- SSR under Commercial Subcontracting Plan reports **TOTAL** dollars under
 - Government contracts**AND**
 - Non-government contracts

Preparing and Reviewing SSR under Commercial Subcontracting Plan



- SSR under Commercial Subcontracting Plan reports \$ subcontracted to each Federal agency based on
% of **TOTAL** dollars



Resources

- OSBP is transitioning to new website
 - Old -- <http://www.acq.osd.mil/osbp/>
 - New -- (<http://business.defense.gov/>)
 - Acquisition tab / Subcontracting
 - Subcontracting page is under construction
- Guidance for Contractor Performance Assessment Reporting System (CPARS)
 - <https://www.cpars.gov/>



Resources

- “DoD Checklist for Reviewing Subcontracting Plans” (Mar 2017)
- “DoD Subcontracting Program – Business Rules and Processes for Electronic Subcontracting Reporting System (eSRS) and Preparing and Reviewing Related Subcontract Reports” (Mar 2017)
- “The Basics of Subcontracting” (Mar 2017)
- “Guide to Preparing/Reviewing Individual Subcontract Report (ISR) for an Individual Subcontracting Plan” (Mar 2017)



Resources

- “Guide to Preparing/Reviewing Summary Subcontract Report (SSR) for an Individual Subcontracting Plan” (Mar 2017)
- “Guide to Preparing and Reviewing the Summary Subcontract Report (SSR) for a Commercial Subcontracting Plan” (Mar 2017)
- “DoD Instruction 4205.01, DoD Small Business Programs (SBP)” (6/8/2016)



Resources

- “DoD Instruction 5134.04, Director of Small and Disadvantaged Business Utilization” (9/27/2005)
- FAR Case 2017-008, “Duties of Office of Small and Disadvantaged Business Utilization”:
 - Implements section 835, NDAA FY 17 (amends USC 644(k) to provide additional duties of OSDBU)



Reporting Reminders

- Contract (CAR) must be coded properly in FPDS in order for the contractor to submit the ISR
“Preference Programs and Other Data” -- Subcontract Plan:
 - Contracts awarded **prior** to May, 2015: choose from 5 options
 - Plan not required
 - Plan required Incentive Included / Not Included
 - Pre-2006
 - Other



Reporting Reminders

- (cont) CAR section “Preference Programs and Other Data” -- Subcontract Plan:
 - Contracts awarded **after** May, 2015:
 - Plan not required
 - Individual Subcontracting Plan
 - Commercial Subcontracting Plan
 - DoD Comprehensive Subcontracting Plan



Reminders

- SF 294s submitted in lieu of ISR
 - Contracts not reported in FPDS (FAR 52.219-9, Alternate III)
 - Classified
 - Agencies with waiver from reporting contracts in FPDS (NGA, NSA, DIA)
 - Orders under BOAs and BPAs (DFARS 219.706 Class Deviation 2016-O0009)



CPARS Primary Objectives

- Ensure Current, Complete, and Accurate Information on Contractor Performance Available for Use in Source Selections
- Support Best Value Source Selection Decisions – Awards for Proven Performers
- Provide Up-To-Date Documentation of Contractor's Ability to Provide Quality, On-Time Products and Services that Conform to Contractual Requirements
- Motivate Improved Performance
- Support Responsibility Determinations of Prospective Contractors



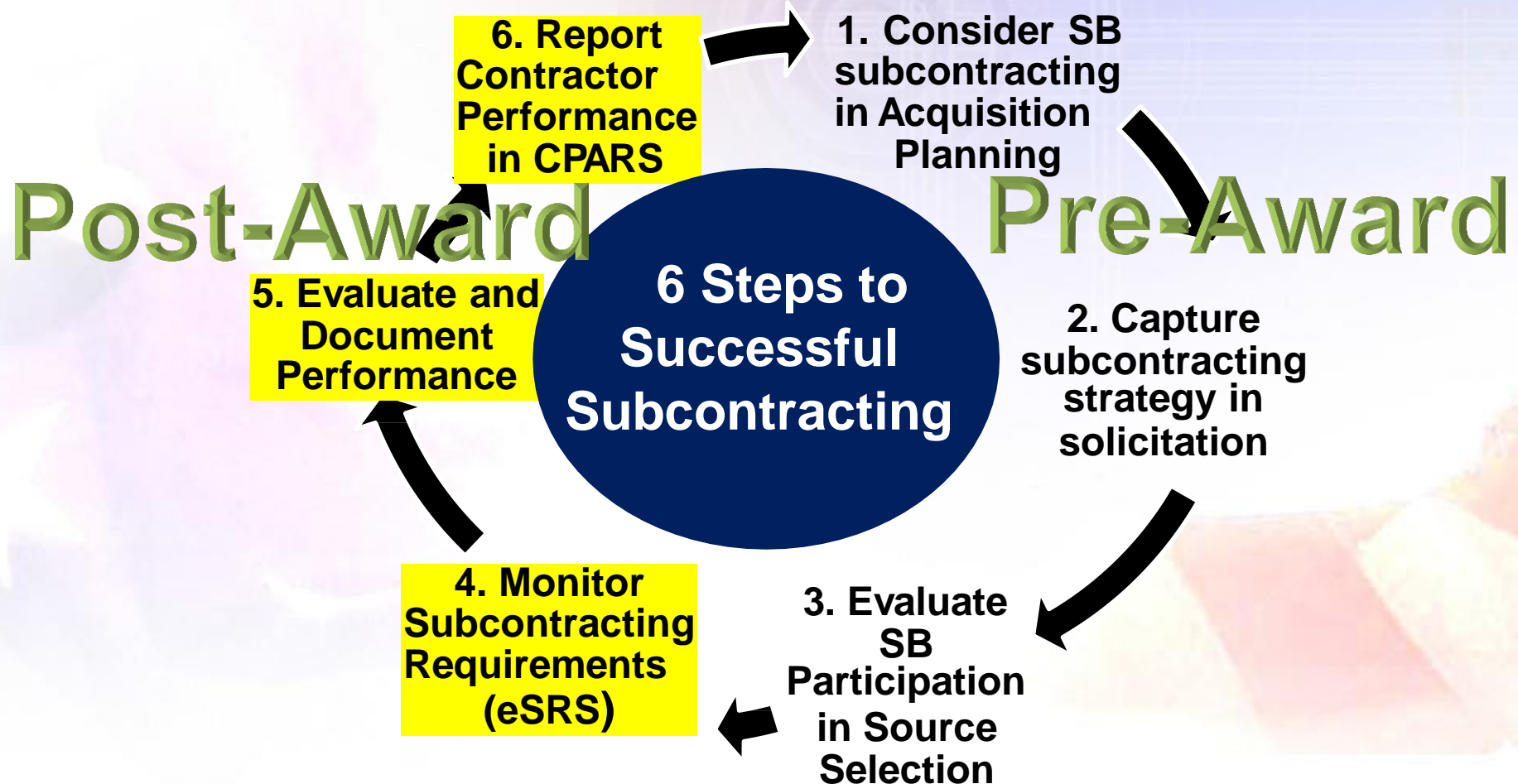
CPAR GUIDANCE



- Evaluate Prime Contractor Performance Only
 - Joint Venture- Single CPAR Prepared if Unique DUNS Number Assigned
 - Do Not Evaluate Subcontractor Performance
 - Privity of Contract Between Prime-Sub
 - Guidance on evaluating Contract types (Section B, Para 2 (Single, Multiple Awards, UCAs, etc.)



SUBCONTRACTING FOR SMALL BUSINESS PROFESSIONALS





Regulatory Guidance



■ FAR 42.1503

- Evaluation Ratings Definitions
- Evaluations Automatically Transmitted to Past Performance Information Retrieval System (PPIRS)
- Agencies Shall Use PPIRS Information in Source Selections
 - Within 3 Years of Contract/Order Completion
 - 6 Years for Architect-Engineer and Construction
- Past Performance Information Shall be Entered Into CPARS



Regulatory Guidance



- **FAR 15.304**

- Past Performance Shall be Evaluated in All Source Selections for Negotiated Competitive Acquisitions Expected to Exceed Simplified Acquisition Threshold



CPARS Reporting

- Subcontracting (large businesses) is required on contract awards greater than \$700,000.00.
- Who is responsible for monitoring the data after contract award?
- Who inputs the data after contract award?
- Who tracks what has been agreed to in the contract?
- Does any of the tracking and input overlap?

The responsibilities are outlined in the CPAR Guide.

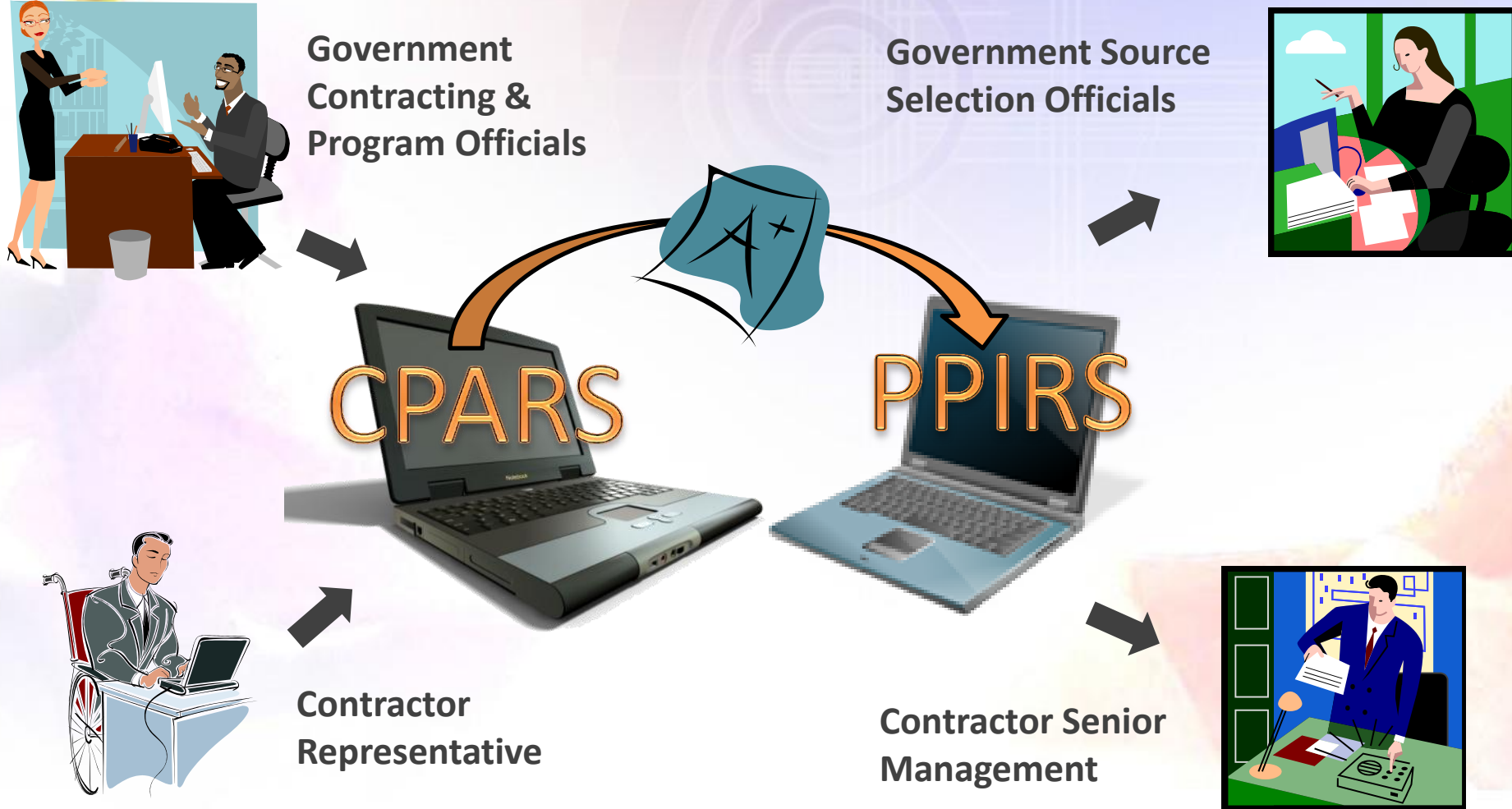
CPAR ROLES



- **CPARS GUIDE, SECTION C, PARAGRAPH 3.0**
- Assessing Official Examples:
 - “The Person Responsible for the Contracting or Execution of the Program, Project, Order”
 - Contracting Officer
 - Program Manager or Equivalent
- This is a Government Only role
 - For Civilian Agencies, generally someone in Contracting
 - For DoD, generally someone from Requirements Community



Past Performance Process Overview





Requesting Focal Point Access

USER ACCESS REQUEST

Focal Point

(fields identified with * are required)

* Agency:
* Approving Official:

Email Address:

* User Name: (enter alpha characters only; first and last name only)

* Title:

* Citizenship:

* Street Address:

* City, State, Zip:

* Phone Number:

* Justification: (Include name and email address of Focal Point that you are replacing, if applicable.)

I NEED CPARS FOCAL POINT ACCESS TO REGISTER CONTRACTS AND ASSIGN CPARS ACCESS FOR EMPLOYEES IN MY ORGANIZATION WHO EVALUATE CONTRACTOR PERFORMANCE.

Be sure to provide a justification for your request. If you are replacing an existing Focal Point, include their name and email address.

The Focal Point must be a Government employee. By clicking "Agree and Submit Request" I certify that I am a Government employee.

User Responsibilities: By submitting this form you agree that you will comply with the terms/restrictions as listed below:

- I understand that Past Performance Information is to be protected.
- I will not attempt to access files for which I do not have access.
- I will treat all information examined or extracted as "business confidential."
- I will not enter or process classified information.
- I will not transmit or communicate data obtained from the system.
- I will notify the CPARS Program Office when I no longer need access.
- I will notify the CPARS Program Office in case of any security incident.
- I will not program function keys or use other capabilities to bypass security.

☒ Agree and Submit Request
☐ Decline

Complete Access Request and click Agree and Submit Request.



Requesting Focal Point Access

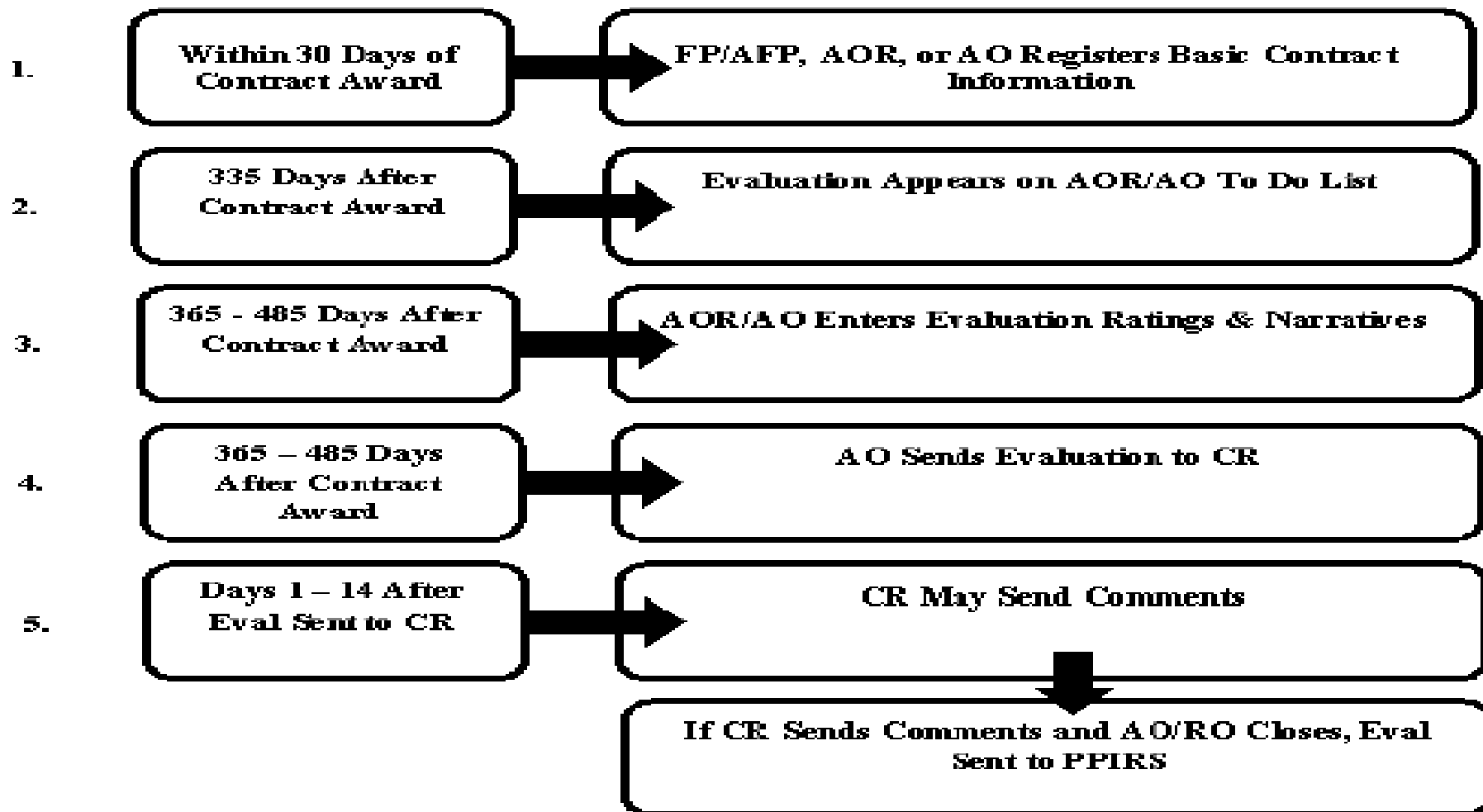


Table 1 – Business Sector, Dollar Threshold and Reviewing Official

Business Sector	Dollar Threshold ¹	Reviewing Official ²
Civilian Agencies (excludes DoD):		
Systems and Non-Systems	>Simplified Acquisition Threshold	One level above the Contracting Officer, as determined by Department or Agency policy
Architect-Engineer	≥\$35,000; All Terminations for Default	One level above the Contracting Officer, as determined by Department or Agency policy
Construction	≥\$700,000; All Terminations for Default	One level above the Contracting Officer, as determined by Department or Agency policy
DoD Services and Agencies:		
Systems (includes new development and major modifications)	>\$5,000,000	One level above the PM ³
Non-Systems		
Operations Support	>\$5,000,000 ⁴	One level above the AO
Services	>\$1,000,000	One level above the AO
Information Technology	>\$1,000,000	One level above the AO
Ship Repair and Overhaul	>\$500,000	One level above the AO
Architect-Engineer	≥\$35,000; All Terminations for Default	One level above the AO
Construction	≥\$700,000; All Terminations for Default	One level above the AO

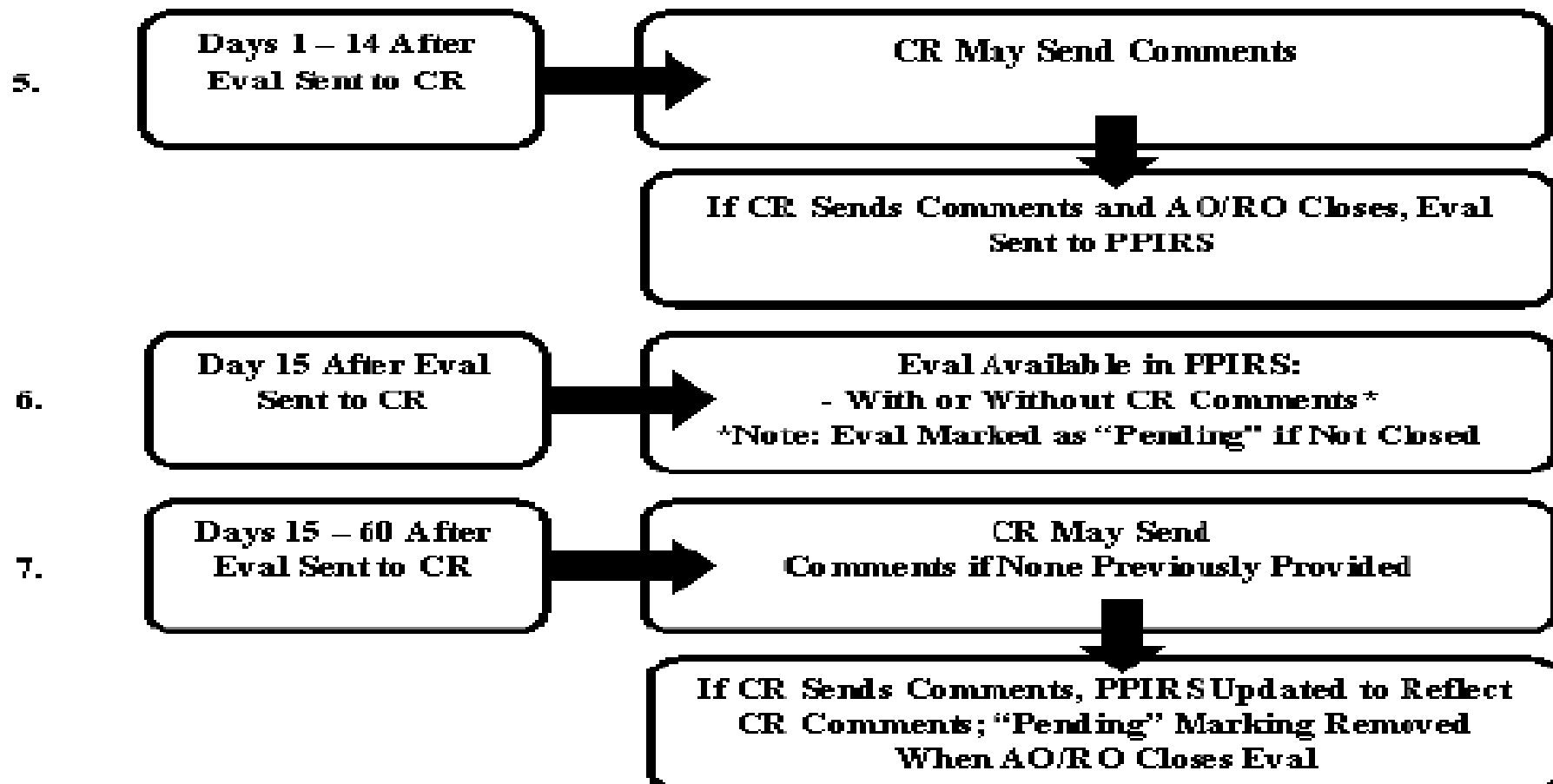


CPAR GUIDE





CPAR GUIDE



There are two more pages of steps in the CPAR Guide – this is just a sample through Step 7



Attachment 3 Instructions for Completing a CPAR

A3.24 Small Business Utilization. Answer the following questions:

- Does this contract include a subcontracting plan?
- Date of last Individual Subcontracting Report (ISR) / Summary Subcontracting Report (SSR)



CPARS SYSTEM

CPARS - Systems

Contract/Schedule Number: N0001905G0008 ? Order Number: 0011

(Click on a tab below to view/enter the related information; fields identified with * are required)

Contractor Name/Address Contract Information Misc Information Small Business Utilization Rating Assessor

Small Business Utilization ?

* Does this contract include a subcontracting plan? (Select) v

Is small business subcontracting under this contract included in a comprehensive small business subcontracting plan? N/A v

Is small business subcontracting under this contract included in a commercial small business subcontracting plan? N/A v

Date of last Individual Subcontracting Report (ISR) / Summary Subcontracting Report (SSR): N/A v

Yes or No

Yes, No or N/A

Yes, No or N/A

(Click on a tab below to view/enter the related information; fields identified with * are required)

Contractor Name/Address Contract Information Misc Information Small Business Utilization Rating Assessor

18. * Evaluate the following Areas: ? (rate or select N/A for all major areas, a - e)

a. Quality b. Schedule c. Cost Control d. Management e. Small Business f. Other Areas

e. Utilization of Small Business ?

Past Color: N/A

Color: (Select) v

Trend: N/A v

20. Assessing Official Narrative (15189 characters remaining for all Assessing Official Narrative fields)

Contract Complete
N/A
Bi-Annual date-Mar or Sep
(This information comes
from the eSRS)

Standard CPAR rating
(required when answering "Yes"
to Does this contract include a
subcontracting plan?)



Attachment 3 Instructions for Completing a CPAR

A3.31 Utilization of Small Business

- FAR Subpart 19.7 and 15 U.S.C.637 contains statutory requirements for complying with Small Business Subcontracting Program
- Assess whether the contractor provided maximum practicable opportunity for Small Business including:
 - Alaska Native Corporations (ANCs) and Indian Tribes)
 - Women Owned, HUBZone, Veteran Owned, Service Disabled Veteran Owned Small Business, and Indian Tribes that are not Small Disadvantaged Businesses or Small Businesses



Attachment 3 Instructions for Completing a CPAR

A3.31.1 Utilization of Small Business

- Assess compliance with ALL terms and conditions of the contract/order relating to Small Business participation (including FAR 52.219-8, Utilization of Small Businesses and FAR 52.219-9 Small Business Subcontracting Plan (when required) Small business participation goals which are stated separately in the contract/order. Assess achievement on each individual goal stated within the contract/order or subcontracting plan including good faith effort if the goal was not achieved.



Attachment 3 Instructions for Completing a CPAR

A3.31.2 Utilization of Small Business

- It may be necessary to seek input from the Small Business Professional (Specialist) or Contracting Officer in regards to the contractor's compliance with these criteria. For DoD in cases where the contractor has a comprehensive subcontracting plan, request DCMA Comprehensive Subcontracting Plan Manager to provide input including any program specific performance information.



Attachment 3 Instructions for Completing a CPAR

A3.31.3 Utilization of Small Business

- For contracts/orders subject to a commercial subcontracting plan, the Utilization of Small Business factor should be rated “satisfactory” as long as an approved plan remains in place, unless liquidated damages have been assessed by the contracting officer who approved the commercial plan (see FAR 19.705-7(h)). In such case, the Utilization of Small Business area must be rated “unsatisfactory”.



Attachment 3 Instructions for Completing a CPAR

A3.31.4 Utilization of Small Business

- This area must be rated for all contracts and task orders that contain a small business subcontracting goal.

A3.31.5 Utilization of Small Business

- Ratings will be in accordance with definitions described in Attachment 2, "Evaluation Ratings Definitions For The Small Business Evaluation Factor when 52.219-9 is used.



Ratings and Narratives

Utilization of Small Business Rating Definitions (FAR 42.1503 Table 42-2)

Rating	Subcontracting Plan	ISR/SSR	Benefits / Impacts
Exceptional	Exceeded All Statutory Goals	Accurate & Timely	Multiple Significant Events of Benefit
Very Good	Met All Statutory Goals	Accurate & Timely	Significant Event of Benefit
Satisfactory	Good Faith Effort to Meet Goals	Accurate & Timely	Minor Problems; Major Problems w/ Corrective Action
Marginal	Deficient in Meeting Key Plan Elements	Inaccurate; Untimely	Significant Event Contractor Had Trouble Overcoming
Unsatisfactory	Noncompliant; Uncooperative	Inaccurate; Untimely	Multiple Significant Problems; Liquidated Damages



Attachment 3 Instructions for Completing a CPAR

A3.31.6 Utilization of Small Business

- Evaluations of the utilization of small business are required for contracts and orders placed against basic ordering agreement (BOA), blanket purchase agreement (BPA), or GWAC/MAC if a subcontracting plan is required. Evaluations of utilization of small business for single-agency task orders and delivery orders are required when the contracting officer determines, in accordance with FAR Subpart 42.1502(d), it is more appropriate to complete a CPAR on each task/delivery order rather than completing a consolidated CPAR for the indefinite delivery contract and each exercised option year period. Execution of any subcontracting plan may be addressed in the narrative section for the Assessing Official.



Attachment 3 Instructions for Completing a CPAR

A3.31.6 Utilization of Small Business

- Although FAR 19.705-2(e) states a contract may have no more than one subcontracting plan, performance against small business utilization may be more appropriately managed through individual task orders to achieve overall contract small business subcontracting goals as indicated in preceding paragraph.



Attachment 3 Instructions for Completing a CPAR

A3.31.6 Utilization of Small Business

- Although paragraph 2.1.1 requires a CPAR to be completed for each order placed against multi-agency indefinite delivery vehicle (IDV), the subcontracting utilization assessment must be completed by the agency that awarded the contract unless the contract ordering instructions allow for separate small business subcontracting goals to be incorporated into each order. Multi-agency IDVs include federal Supply Schedules (FSS), Government Wide Acquisition Contracts (GWAC), and Multiple Agency Contracts (MAC).



List of Contracts for ISR and CPARS Exercises

1. Contract #: (actual ISR)
2. Contract #: DAAA0902D0007
Contract #: DAAA0902G0016
3. Contract #: DAAD1300C0021
Contract #: FA460014D0004
4. Contract #: W911NF15C0210
Contract #: N6247013D6022



CPAR UPDATES



QUESTIONS?



RESOURCES



- Guidance for CPARS Document
<http://www.cpars.gov/refmatl.htm>
- DoD OSBP Subcontracting POC
Janice.I.buffler.civ@mail.mil
- DAU Small Business POC
Jeanette.Robinson@dau.mil
<http://www.dau.mil>



CPARS Customer Support & Website

- **Customer Support Desk**
 - Monday – Friday: 6:30 am – 6:00 pm ET
 - Commercial: 207-438-1690
 - Email: webptsmh@navy.mil
- **CPARS Website:** <https://www.cpars.gov>
 - System Logon
 - Guidance for CPARS Document
 - User Manual
 - Training Information
 - Quality Checklist
 - FAQs

